HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 28155 of 2007

Dated 28th December, 2007

Between
Kommera Madhu

…Petitioner

and

The Superintendent of Police, Guntur District, Guntur, and, ors

…Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 28155 of 2007

ORDER:

This Writ Petition is filed seeking Writ of Mandamus to declare the action of the third respondent in opening and continuing the rowdy sheet against the petitioner as illegal and arbitrary.

In the year 1998, the third respondent opened the rowdy sheet against the petitioner as contemplated under the Police Standing Orders on the ground that the petitioner involved in Crime Nos. 17/1995, 137/1997, 170/1999, 130/2000 and 18/2003 on the file of the Macherla Police Station, Macherla, Guntur District. It is the grievance of the petitioner that in spite of acquittal of the petitioner in all the above cases and there is no further involvement of the petitioner in any other crimes after 2003, the respondents are continuing the rowdy sheet against the petitioner mechanically, without reviewing the same.

Heard the learned Counsel for the petitioner and the learned Government Pleader for Home.

In the case of *S.Satyanarayana Vs. State of Andhra Pradesh* {1999 {6) ALT 249}, this Court held that the rowdy sheet opened cannot be continued mechanically and it has to be reviewed periodically. Though it is submitted by the learned Counsel for the petitioner that in spite of acquittal of the petitioner in all the cases, the rowdy sheet is being continued against the petitioner, but, however, whether the petitioner is involved in any other cases or not so as to continue the rowdy sheet against the petitioner, is a matter which is required to be considered by the competent authority. In that view of the matter, as it is stated that all the cases, in which the petitioner was involved, ended in acquittal after trial and there is no further involvement of the petitioner in any other crimes and the rowdy sheet opened against him is valid up to 31-12-2007, I dispose of the Writ Petition, permitting the petitioner to make a representation in this regard before the first and second respondents within a period of two weeks from the date of receipt of a copy of this order, giving details of acquittals . If such a representation is filed, the respondents are directed to review the necessity of continuance or otherwise of the rowdy sheet opened against the petitioner, by taking into account the acquittals of the petitioner in various criminal proceedings and non-involvement of the petitioner in other criminal cases, and, pass appropriate orders and communicate the same to the petitioner.

Subject to the above direction, the Writ Petition is disposed of. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATE: 28-12-2007
CC in two days
(BO) Msnr.